

TM NO.: 60-78A

This **DEED OF EASEMENT**, made this day of June 2009, by and between the **COUNTY SCHOOL BOARD OF ALBEMARLE COUNTY, VIRGINIA** (Grantor), 401 McIntire Road, Charlottesville, Virginia, 22902 and the **ALBEMARLE COUNTY SERVICE AUTHORITY (the ACSA)**, (Grantee), whose address is 168 Spotnap Road, Charlottesville, VA 22911.

WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), receipt of all of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE unto the Albemarle County Service Authority a perpetual right of way and easement to construct, install, maintain, repair, replace and extend water and sewer mains, each consisting of pipes and appurtenances thereto, over, under and across the real property of the Grantor located in Albemarle County, Virginia, described as Albemarle High School, the location of the easements granted and the boundaries of the property being more particularly described on the following plat:

1. A permanent Sanitary Sewer easement shown and described as 20' Sanitary Sewer Easement on Plat by Timmons Group, Paul N. Huber, Land Surveyor, dated Oct. 3, 2008, as it crosses property of the Grantor shown and described on the Plat entitled "Plat Showing a 20' Sanitary and a 20' Waterline Easement To Be Dedicated, and a Portion of a 20' Sanitary Easement to Be Vacated Across the Property of the County School Board of Albemarle County, Virginia," (the "Plat") and acquired by the Grantor in Deed Book 2163, Page 400, and as further described in "Detail 'A'" of the Plat.

2. A 7,377 sq. ft. (0.169 Acre) permanent waterline easement shown and described as 20' Waterline Easement on the Plat as it crosses property of the Grantor shown and described on the Plat and acquired by the Grantor by the Deed Book 287, Page 414, and as further described in "Detail 'B'" of the Plat.

Furthermore, the Grantor hereby VACATES and RELEASES all of its right, title and interest in and to the 3,395 sq. ft. (0.078 Acre) existing Sanitary Sewer Easement depicted on the Plat in "Detail 'A'".

Reference is made to the Plat, a copy of which is attached hereto to be recorded herewith, for the exact location and dimension of the permanent easements hereby granted and the property over which the same cross.

As part of the easement the ACSA shall have the right to enter upon the above described property within the easements for the purpose of installing, constructing, maintaining, repairing, replacing and extending a water line and appurtenances thereto, within such easements and the right of ingress and egress thereto as reasonably necessary to construct, install, maintain, repair, replace and extend such sewer line and appurtenances. If the ACSA is unable to reasonably exercise the right of ingress and egress over the right-of-way, the ACSA shall have the right of ingress and egress over the property of Grantor adjacent to the right-of-way. Whenever it is necessary to excavate earth within such easements, the ACSA agrees to backfill such excavation in a proper and workmanlike manner so as to restore surface conditions to the same condition as prior to excavation, including restoration of such paved surfaces as may be damaged or disturbed as part of such excavation.

The easements provided for herein shall include the right of the ACSA, to cut any trees, brush and shrubbery, remove obstructions and take other similar action reasonably necessary to provide economical and safe water and sewer line installation, operation and maintenance. The ACSA shall have no responsibility to the Grantor, their successors or

assigns, to replace or reimburse the cost of said trees, brush, shrubbery and obstructions that are removed or otherwise damaged.

The facilities constructed by ACSA within the permanent easements shall be the property of the ACSA which shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations and connections to or extensions of its facilities within the boundaries of the permanent easements as are consistent with the purposes expressed herein.

WITNESS the following signature and seal:

COUNTY SCHOOL BOARD OF
ALBEMARLE COUNTY, VIRGINIA

By: _____ (SEAL)

STATE OF VIRGINIA
COUNTY/CITY OF _____, to wit:

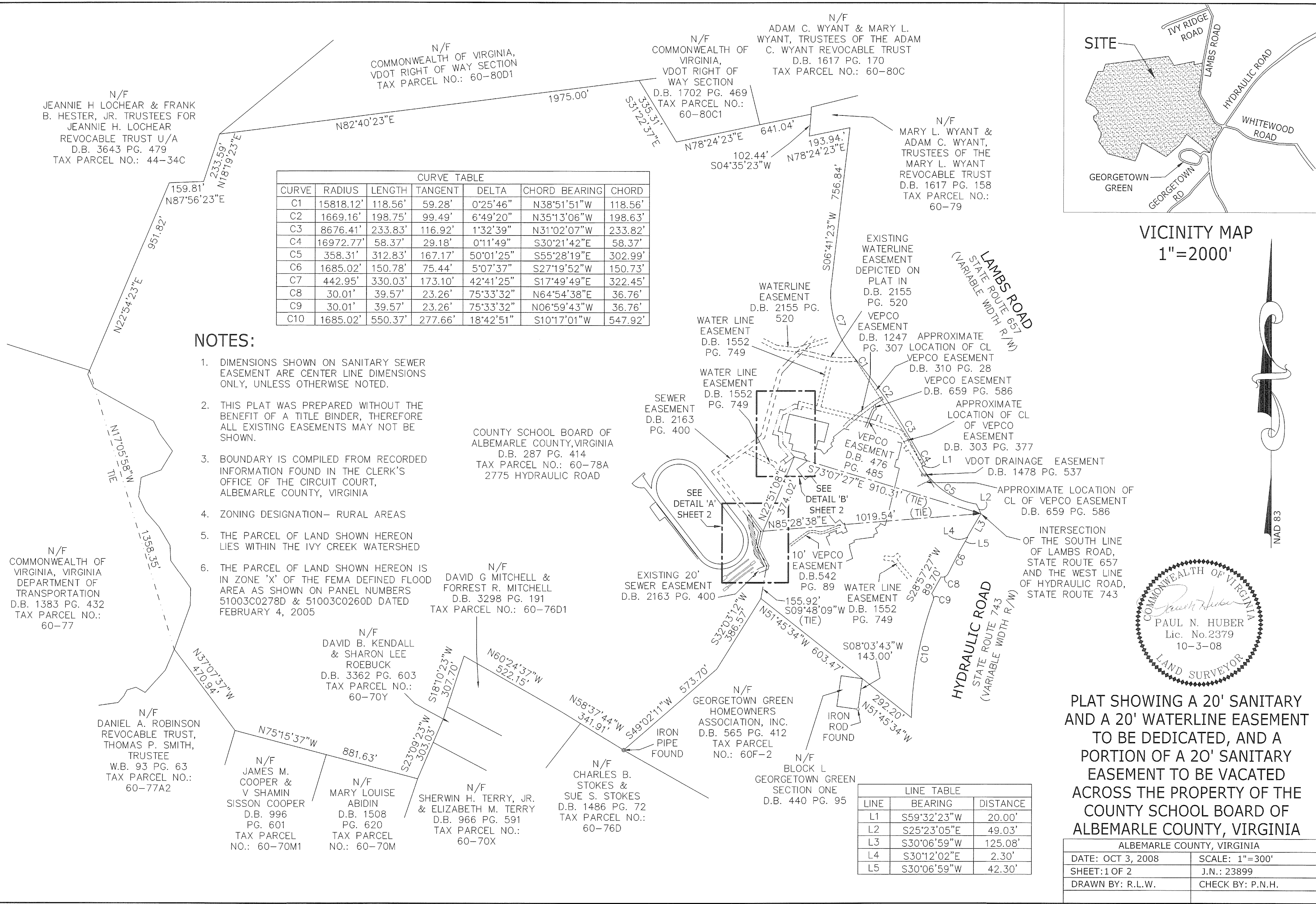
The foregoing instrument was acknowledged before me this ____ day of _____, 2009, by _____,
_____ of the County School Board of Albemarle County, Virginia.

Notary Public

My Commission Expires: _____
I.D. No. _____

Approved as to Form:

Albemarle County Attorney's Office

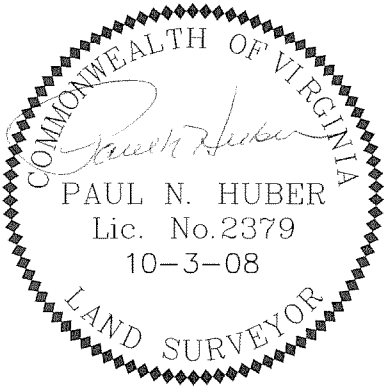


CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	15818.12'	118.56'	59.28'	0°25'46"	N38°51'51"W	118.56'
C2	1669.16'	198.75'	99.49'	6°49'20"	N35°13'06"W	198.63'
C3	8676.41'	233.83'	116.92'	1°32'39"	N31°02'07"W	233.82'
C4	16972.77'	58.37'	29.18'	0°11'49"	S30°21'42"E	58.37'
C5	358.31'	312.83'	167.17'	50°01'25"	S55°28'19"E	302.99'
C6	1685.02'	150.78'	75.44'	5°07'37"	S27°19'52"W	150.73'
C7	442.95'	330.03'	173.10'	42°41'25"	S17°49'49"E	322.45'
C8	30.01'	39.57'	23.26'	75°33'32"	N64°54'38"E	36.76'
C9	30.01'	39.57'	23.26'	75°33'32"	N06°59'43"W	36.76'
C10	1685.02'	550.37'	277.66'	18°42'51"	S10°17'01"W	547.92'

NOTES:

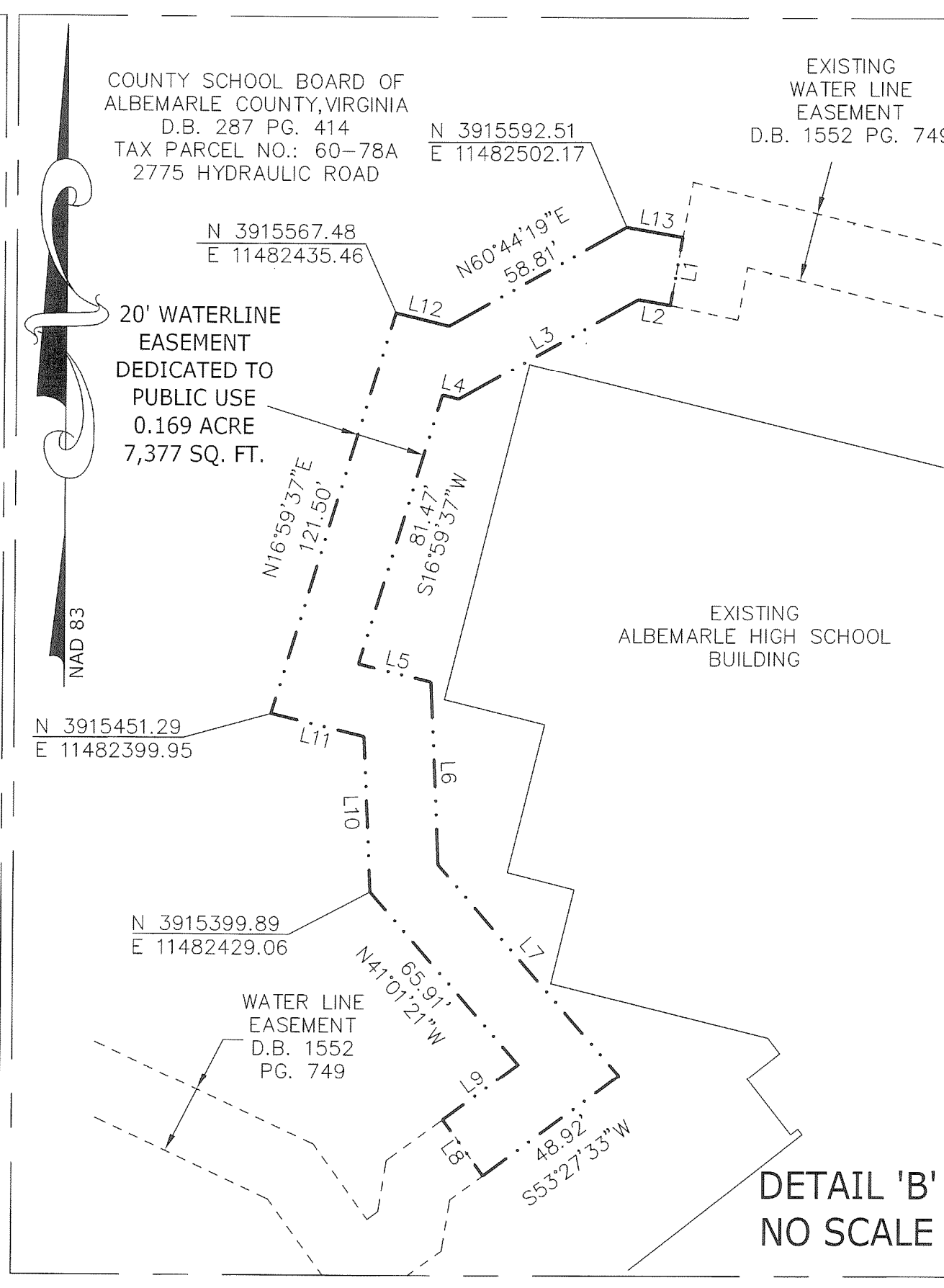
- 1. DIMENSIONS SHOWN ON SANITARY SEWER EASEMENT ARE CENTER LINE DIMENSIONS ONLY, UNLESS OTHERWISE NOTED.
- 2. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER, THEREFORE ALL EXISTING EASEMENTS MAY NOT BE SHOWN.
- 3. BOUNDARY IS COMPILED FROM RECORDED INFORMATION FOUND IN THE CLERK'S OFFICE OF THE CIRCUIT COURT, ALBEMARLE COUNTY, VIRGINIA
- 4. ZONING DESIGNATION- RURAL AREAS
- 5. THE PARCEL OF LAND SHOWN HEREON LIES WITHIN THE IVY CREEK WATERSHED
- 6. THE PARCEL OF LAND SHOWN HEREON IS IN ZONE 'X' OF THE FEMA DEFINED FLOOD AREA AS SHOWN ON PANEL NUMBERS 51003C0278D & 51003C0260D DATED FEBRUARY 4, 2005

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S59°32'23"W	20.00'
L2	S25°23'05"E	49.03'
L3	S30°06'59"W	125.08'
L4	S30°12'02"E	2.30'
L5	S30°06'59"W	42.30'



PLAT SHOWING A 20' SANITARY AND A 20' WATERLINE EASEMENT TO BE DEDICATED, AND A PORTION OF A 20' SANITARY EASEMENT TO BE VACATED ACROSS THE PROPERTY OF THE COUNTY SCHOOL BOARD OF ALBEMARLE COUNTY, VIRGINIA

ALBEMARLE COUNTY, VIRGINIA	
DATE: OCT 3, 2008	SCALE: 1"=300'
SHEET: 1 OF 2	J.N.: 23899
DRAWN BY: R.L.W.	CHECK BY: P.N.H.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S10°01'51"W	20.00'
L2	N80°01'00"W	9.38'
L3	S60°44'19"W	59.51'
L4	N76°28'06"W	4.85'
L5	S76°20'53"E	21.66'
L6	S02°36'08"E	52.90'
L7	S41°01'21"E	80.57'
L8	N35°58'20"W	20.00'
L9	N53°27'33"E	27.09'
L10	N02°36'08"W	44.87'
L11	N76°20'53"W	27.86'
L12	S76°28'06"E	15.84'
L13	S80°01'00"E	16.52'

The seal is circular with a decorative, beaded border. The text "COMMONWEALTH OF VIRGINIA" is arched across the top. In the center, the name "Paul N. Huber" is written in a cursive script. Below the name, the text "Lic. No. 2379" and "10-3-08" are printed. The words "LAND SURVEYOR" are arched across the bottom.

THE DIVISION OF THE LAND DESCRIBED HEREIN IS WITH THE FREE
CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE
UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES. ANY
REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED
AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT
ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

CHAIRMAN _____ DATE _____

_____ OF _____ } TO WIT
I, _____ A NOTARY PUBLIC IN AND FOR THE
(PRINT NAME)
_____ OF _____ COMMONWEALTH OF VIRGINIA,

 (PRINT NAME)
 WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS
 ACKNOWLEDGED THE SAME BEFORE ME IN MY _____ AND
 COMMONWEALTH AFORESAID
 GIVEN UNDER MY HAND AND SEAL THIS
 _____ DAY OF _____, 2008.

NOTARY PUBLIC MY COMMISSION EXPIRES

COUNTY OF ALBEMARLE
PLANNING COMMISSION

DESIGNATED AGENT _____ DATE _____

PLAT SHOWING A 20' SANITARY
AND A 20' WATERLINE EASEMENT
TO BE DEDICATED, AND A
PORTION OF A 20' SANITARY
EASEMENT TO BE VACATED
ACROSS THE PROPERTY OF THE
COUNTY SCHOOL BOARD OF
ALBEMARLE COUNTY, VIRGINIA

ALBEMARLE COUNTY, VIRGINIA	
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